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THE WHITE HOUSE

WASHINGTON

October 29, 1975

MEMORANDUM FOR:

PHIL BUCHEN
✓ BILL COLBY
HENRY KISSINGER
ED LEVI
JIM LYNN
DON RUMSFELD
JIM SCHLESINGER

FROM:

JACK MARSH

SUBJECT:

Draft Executive Order Imposing
Restrictions on Intelligence Activities

Transmitted herewith is a draft of this executive order annotated with your comments, except those of DOD, which have not yet been received.

Unfortunately, this procedure of all interested parties commenting on a draft has not produced a final order, because the adoption of one party's suggestion often causes unanticipated problems for another party. For example, the last draft included for the first time information on foreign "persons" in the definition of "foreign intelligence." This has the unintended result of subjecting the Immigration and Naturalization Service to the order's restrictions since the information it collects is primarily on foreign persons.

In an effort to finalize this order, we are considering scheduling daily meetings until agreement is reached or fundamental disagreements are distilled for Presidential decision. These meetings should be attended by principals or delegates authorized to speak for principals in this matter.

The other substantive disagreements appear to relate to:

- (1) The exception for information from abroad or foreign sources about the domestic activities of

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U.S. citizens reasonably believed to be involved in international terrorist or narcotics activities or working in collaboration with a foreign nation or organization. (Section II (a) (2) (ii))

(2) The exception which would legitimate sharing of information on domestic activities of U.S. citizens among agencies. (Section II (a) (2) (v))

(3) The provision relating to electronic surveillance. (Section II (d))

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file: EO

Tuesday, 4 November
1:30 - 3:00
DDI Conference Room

Meeting to discuss Draft Executive Order
Imposing Restrictions on Intelligence
Activities

Paper to be discussed is attached.

See talking paper for 1:30 meeting--just came in.